IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESAY, THE EIGHT DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 4860 of 2005

Between:

Smt.M.Kavitha Rao, w/o M.Rakesh Babu
Nadergul Village, Saroornagar Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The Deputy Collector-cum-Mandal Revenue Officer, Saroornagar, Ranga Reddy District.
2 The Assistant Director Survey & Land Records, R.R.District.

..RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more one in the nature of WRIT OF MANDAMUS declaring the proceedings of the 1st respondent issued in Memo No.B/69/2004 dated 4-1-2005 in directing the petitioner to approach the 2nd respondent for demarcation and subdivision of land to an extent of Ac.2.10 guntas purchased by the petitioner by way of Registered Sale deed dt.29-5-2003 in Sy.Nos.367 and 368 of Nadergul Village, Saroornagar Mandal, R.R.District on the ground that the land in Sy.No.367 and 368 of Nadergul Village, Saroornagar Mandal, Ranga Reddy District does not contain tippons in the land and the consequential proceedings for the 2nd respondent issued in Memo No.L.Dis.A3/570/2005 dt.18-1-2005 in refusing the request of the petitioner to survey and subdivide the land on the ground that the property in question is not surveyed separately, as illegal, arbitrary contrary to the provisions of the A.P.Survey and Boundary Act of 1923 amounting to dereliction of duty and consequently direct the respondents to survey and demarcate the land in Sy.No.367 and 368 admeasuring Ac.13.00 cents and subdivide the land to an extent of Ac.2.10 guntas out of the said land which the petitioner has purchased by way of Registered Sale deed dt.29-5-2003 forthwith and pass such other order or orders as deem fit and proper.

Counsel for the Petitioner:MR.M.SUBBA REDDY
Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

ORDER:

This writ petition is filed questioning the inaction of the respondents in not considering the application filed by the petitioner for demarcation and sub-division of the land to an extent of Ac. 2-10 guntas, purchased by her under a registered sale deed dated 29-5-2003, in Survey No.367 and 368 of Nadergul village, Saroornagar Mandal, Ranga Reddy District.

2. Heard the learned counsel for the petitioner as well as learned Government Pleader for Revenue.

3. Learned Government Pleader for Revenue submits that survey of part of the total extent is not possible, since Teepan concerning the survey number is not available on record. However, he submits that the survey of entire survey number can be taken up.

4. Considering the submission of the Government Pleader, the writ petition is disposed of directing the respondents to conduct survey of Survey No.367 subject to the petitioner complying requisite conditions under Survey and Boundary Act and the Rules there under, after giving notice to all the parties concerned of that survey number. No order as to costs.

B.Seshasayana Reddy,J

8th June, 2005.

KM

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Deputy Collector-cum-Mandal Revenue Officer, Saroornagar, Ranga Reddy District.
2 The Assistant Director Survey & Land Records, R.R.District.

3. 2 CCsto G.P. for Revenue, High Court Buildings, Hyderabad

(OUT)

4. 2 CDs.

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

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8th June, 2005.